

- 1 -

FOR THE

- 18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:**

(which is a ____ continuation/ ____ divisional/ ____ CIP of prior application no. _____,
which is a ____ continuation/ ____ divisional/ ____ CIP of prior application no. _____) (List entire chain of priority)

18B. Statement under 37 CFR 3.73(b) for continuing application:

| | |
|------------|-------------------------------|
| 19. | Correspondence Address |
|------------|-------------------------------|

| | |
|----------|------------------------------|
| <u>X</u> | Correspondence Address Below |
|----------|------------------------------|

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Seventh Floor

Country U.S.A. TELEPHONE (206) 292-8600 FAX (206) 292-8606

Signature: R Alan Russell Date: Feb 1, 2002

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)First Named Inventor John WittTitle FAST STEERING MIRRORAttorney Docket No. 004524.P071

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Feb 1, 2002

Date

R. Alan Burnett

Signature

R. Alan Burnett

Typed or Printed Name

46,149

Registration No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months after the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application.

Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).

Send to: Assistant Commissioner for Patents, Washington, D.C. 20231

FEE TRANSMITTAL FOR FY 2001**TOTAL AMOUNT OF PAYMENT (\$)** \$888.00**Complete if Known:**

Application No. Not yet assigned
 Filing Date Herewith
 First Named Inventor John Witt
 Group Art Unit _____
 Examiner Name _____
 Attorney Docket No. 004524.P071

METHOD OF PAYMENT (check one)

1. ☒ [X] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
 Deposit Account Name _____

☒ [X] Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. ☒ X Payment Enclosed:

☒ X Check
 _____ Money Order
 _____ Other

FEE CALCULATION**1. BASIC FILING FEE**

| <u>Large Entity</u> | | <u>Small Entity</u> | | <u>Fee Description</u> | <u>Fee Paid</u> |
|---------------------|----------|---------------------|----------|------------------------------------|------------------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 101 | 740 | 201 | 370 | Utility application filing fee | <u>\$740.00</u> |
| 106 | 330 | 206 | 165 | Design application filing fee | _____ |
| 107 | 510 | 207 | 255 | Plant filing fee | _____ |
| 108 | 740 | 208 | 370 | Reissue filing fee | _____ |
| 114 | 160 | 214 | 80 | Provisional application filing fee | _____ |
| SUBTOTAL (1) | | | | | \$ 740.00 |

2. EXTRA CLAIM FEES

| | | | <u>Extra Claims</u> | <u>Fee from below</u> | <u>Fee Paid</u> |
|--------------------|-----------|----------|---------------------|-----------------------|-----------------|
| Total Claims | <u>26</u> | - 20** = | <u>6</u> | X \$18.00 = | <u>\$108.00</u> |
| Independent Claims | <u>2</u> | - 3** = | <u>0</u> | X \$84.00 = | <u>0.00</u> |
| Multiple Dependent | | | | | <u>_____</u> |

**Or number previously paid, if greater; For Reissues, see below.

| <u>Large Entity</u> | | <u>Small Entity</u> | | <u>Fee Description</u> | |
|---------------------|----------|---------------------|----------|---|------------------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 103 | 18 | 203 | 9 | Claims in excess of 20 | |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 | |
| 104 | 280 | 204 | 140 | Multiple dependent claim, if not paid | |
| 109 | 84 | 209 | 42 | **Reissue independent claims over original patent | |
| 110 | 18 | 210 | 9 | **Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | | | | \$ 108.00 |

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| <u>Large Entity</u> | | <u>Small Entity</u> | | <u>Fee Description</u> | <u>Fee Paid</u> |
|---------------------------|-----------------|---------------------|-----------------|--|-----------------|
| <u>Fee Code</u> | <u>Fee (\$)</u> | <u>Fee Code</u> | <u>Fee (\$)</u> | | |
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for response within first month | |
| 116 | 400 | 216 | 200 | Extension for response within second month | |
| 117 | 920 | 217 | 460 | Extension for response within third month | |
| 118 | 1,440 | 218 | 720 | Extension for response within fourth month | |
| 128 | 1,960 | 228 | 980 | Extension for response within fifth month | |
| 119 | 320 | 219 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive unavoidably abandoned application or unavoidably delayed payment of issue fee | |
| 141 | 1,280 | 241 | 640 | Petition to revive unintentionally abandoned application or unintentionally delayed payment of issue fee | |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 | Design issue fee | |
| 144 | 620 | 244 | 310 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | \$40.00 |
| 146 | 740 | 246 | 370 | For filing a submission after final rejection (see 37 CFR 1.129(a)) | |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (see 37 CFR 1.129(b)) | |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | | | |
| Other fee (specify) _____ | | | | | |

SUBTOTAL (3) \$ 40.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: R. Alan Burnett

Signature: *R. Alan Burnett*

Date: Feb 1, 2002

Reg. Number: 46,149

Telephone Number: (206) 292-8600

Our Reference: 004524.P071

Patent

FAST STEERING MIRROR

Inventors: John D. Witt
Tyler M. Anderson

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

R. Alan Burnett

R. Alan Burnett
Reg. No. 46,149

"Express Mail" mailing label number: EL861982763US

Date of Deposit: February 1, 2002

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

Jenny Miller

(Typed or printed name of person mailing paper or fee)

Jenny Miller
(Signature of person mailing paper or fee)

2-1-2002
(Date signed)

Serial/Patent No.: Not yet assigned Filing/Issue Date: Herewith
Client: Terabeam Corporation
Title: FAST STEERING MIRROR

BSTZ File No.: 004524.P071 Atty/Secty Initials: RAB/jem
Date Mailed: February 1, 2002 Docket Due Date:

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | |
|--|---|
| <input type="checkbox"/> Amendment/Response (____pgs.) | <input checked="" type="checkbox"/> Express Mail No. EL861982763US Check No. 1990 |
| <input type="checkbox"/> Appeal Brief (____pgs.) (in triplicate) | <input type="checkbox"/> ____Month(s) Extension of Time Amt: \$888.00 |
| <input checked="" type="checkbox"/> Application - Utility (25 pgs., with cover and abstract) | <input type="checkbox"/> Information Disclosure Statement & PTO-1449 (____pgs.) <input type="checkbox"/> Check No. ____ |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____pgs.) | <input type="checkbox"/> Issue Fee Transmittal Amt: ____ |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____pgs.) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____pgs.) | <input type="checkbox"/> Petition for Extension of Time |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____pgs.) | <input type="checkbox"/> Petition for ____ |
| <input type="checkbox"/> Application - Design (____pgs.) | <input checked="" type="checkbox"/> Postcard |
| <input type="checkbox"/> Application - PCT (____pgs.) | <input type="checkbox"/> Power of Attorney (____pgs.) |
| <input type="checkbox"/> Application - Provisional (____pgs.) | <input type="checkbox"/> Preliminary Amendment (____pgs.) |
| <input checked="" type="checkbox"/> Assignment and Cover Sheet | <input type="checkbox"/> Reply Brief (____pgs.) |
| <input checked="" type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Response to Notice of Missing Parts |
| <input checked="" type="checkbox"/> Declaration & POA (5 pgs.) | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business |
| <input type="checkbox"/> Disclosure Docs & Orig & Copy of Inventor's Signed Letter (____pgs.) | <input checked="" type="checkbox"/> Transmittal Letter, in duplicate 2 pages each |
| <input checked="" type="checkbox"/> Drawings: 16 # of sheets includes 23 figures | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate 2 pages each |
| <input checked="" type="checkbox"/> Other * Certificate of mailing with copy of return postcard signed by attorney. | |